

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	:	
CHANETTO RIVERS,	:	
	:	
Plaintiff,	:	<b><u>ORDER OF JUDGMENT</u></b>
	:	<b><u>PURSUANT TO RULE 68</u></b>
	:	
-against-	:	1:23-CV-04084 (JGLC)
	:	
THE CITY OF NEW YORK, JESS DANNHAUSER,	:	
Commissioner of the Administration for Children's	:	
Services, in his official capacity, YERIKA ABREU, in	:	
her individual capacity, and FRANK LAWANI, in his	:	
individual capacity,	:	
	:	
Defendants.		
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**WHEREAS**, Plaintiff Chanetto Rivers (“Plaintiff”) commenced this action by filing a complaint on May 17, 2023, alleging that Defendants City of New York, Jess Dannhauser, Yerika Abreu, and Frank Lawani (collectively, “Defendants”) violated her federal constitutional rights, her state constitutional rights, and her state law rights under the Marihuana Regulation and Taxation Act; and

**WHEREAS**, on August 7, 2023, pursuant to Rule 68 of the Federal Rules of Civil Procedure, Defendants made Plaintiff an Offer of Judgment; and

**WHEREAS**, on August 21, 2023, Plaintiff accepted Defendants’ offer;

**NOW, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

1. Pursuant to Rule 68 of the Federal Rules of Civil Procedure, Plaintiff will take judgment against the City of New York, in satisfaction of all claims that were or could have been asserted in this action, for the total sum of Seventy-Five Thousand and One (\$75,001.00) Dollars, plus reasonable attorneys’ fees, costs and expenses incurred in this action.

2. This judgment shall be in full satisfaction of all federal and state law claims or rights that Plaintiff may have to damages, or any other form of relief, arising out of the alleged acts or omissions of Defendants or any official, employee, or agent, either past or present, of the City of New York or any agency thereof, in connection with the facts and circumstances that are the subject of this action.

3. This judgment shall not be construed as an admission of liability by Defendants or any official, employee, or agent of the City of New York or any agency thereof; nor is it an admission that Plaintiff has suffered any damages.

4. Acceptance of this offer of judgment releases and discharges Defendants; their successors or assigns; and all past and present officials, employees, representatives, and agents of the City of New York or any agency thereof, from any and all claims that were or could have been alleged by Plaintiff arising out of the facts and circumstances that are the subject of this action.

5. By accepting this Rule 68 offer of judgment, Plaintiff agrees to resolve any claim that Medicare may have for reimbursement of conditional payments it has made as secondary payer, and will create a Medicare Set-Aside Trust if required by 42 U.S.C. § 1395y(b) and 42 C.F.R. §§ 411.22 through 411.26.

6. Plaintiff agrees to hold harmless Defendants and all past and present officials, employees, representatives and agents of the City of New York, or any agency thereof, regarding any past and/or future Medicare payments, presently known or unknown, made in connection with this matter.

7. By accepting this offer of judgment, Plaintiff waives her rights to any claim for interest on the amount of the judgment.

8. Plaintiff agrees that payment of Seventy-Five Thousand and One (\$75,001.00) Dollars within ninety (90) days shall be a reasonable time for such payment.

Dated: August 30, 2023  
New York, New York



JESSICA G. L. CLARKE  
United States District Judge